



# Austin City Council MINUTES

For AUGUST 30, 1984 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

## City Council

Ron Mullen  
Mayor

John Treviño, Jr.  
Mayor Pro Tem

Council Members  
Mark Rose  
Roger Duncan  
Sally Shipman  
Mark E. Spaeth  
Charles E. Urdy

Jorge Carrasco  
City Manager

Elden Aldridge  
City Clerk

## Memorandum To:

Mayor Mullen called to order the meeting of the Council scheduled for 1:00 p.m., noting the absence of Mayor Pro Tem Trevino, who was gone for the day, and Councilmembers Urdy and Rose, who appeared later in the day.

### MINUTES APPROVED

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, voted to approved minutes for regular meetings of July 26, 1984 and August 2, 9, 16, 1984 and Special Meeting of July 26, 1984. (4-0 Vote, Mayor Pro Tem Trevino, Councilmembers Rose and Urdy absent.)

### SISTER CITIES INTERNATIONAL

Ms. Bertha E. Means appeared before Council to discuss International City Awards presented to the City of Austin during the Annual Conference of Sister Cities International, recently held in Denver. She presented a plaque to the Mayor which had been sent to Austin by Sister Cities International for the participation of our City in its program.

Ms. Una Flemings and Dr. James W. Fox, who had also requested to appear concerning these awards, were not in the Council Chamber.

### REVEGETATION OF CITY DUMP REQUESTED

David Mahler, representing the Wild Basin, asked the City to help in a revegetation of a City dump in the

## REQUEST - (Continued)

Wild Basin area. The dump encompasses 4-5 acres. City Manager Carrasco said he would return with a report in three weeks.

## ELECTION DISCUSSED

Mr. Roger Baker appeared before Council to discuss the upcoming Bond Election.

## LIMITED PURPOSE ANNEXATION

Ms. Janet Klotz appeared before Council to discuss limited purpose annexation of approximately 18 square miles of far north-northeast Austin area.

City Manager Carrasco said he will bring back a report next week.

## WASTEWATER TAPS IN WILLIAMSON CREEK AREA

Mr. John Joseph appeared before Council to request the further issuance of wastewater taps in the Williamson Creek Area. He said he represents NPC who wants to buy 167 taps in the southwest area. The houses have been purchased and there is no water and people may lose their loans.

Jim Thompson, Director of Water and Wastewater, told Council the City needs to move carefully before the moratorium is lifted and taps are sold.

City Manager Carrasco asked if the homes were built by NPC knowing that there was no guarantee of water service. Mr. Joseph said they were. He said he would like a public hearing concerning the issuance of taps. Both Councilmembers Spaeth and Shipman said a public hearing would be a good idea but Council was not posted to set one, according to the agenda.

## PUBLIC HEARING

Mayor Mullen opened the public hearing set for 1:30 p.m. on 299 unit multi-family financed project proposed by PRI-BB (Woodmeade Apartments)

No one appeared to be heard.

Motion

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, closed the public hearing. (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Rose absent.)

## RECESS

Council recessed its meeting at 2:14 p.m. for the Austin Housing Finance Corporation and resumed its meeting at 2:16 to recess its regular meeting at 2:17 for the Austin Industrial Development Corporation meeting and resumed its regular meeting again at 2:18 p.m.

## AMENDMENTS TO AHFC RULES &amp; REGULATIONS

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, adopted a resolution approving amendments to the Austin Housing Finance Corporation's Rules and Regulations, defining lower income tenants and qualifying tenants income limitation guidelines for the Multi-Family Housing Program. (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Rose absent.)

## AMENDMENT OF TRUST INDENTURE

The Council, on Councilmember Urdy's motion, Councilmember Shipman's second, adopted a resolution authorizing amendment of the Trust Indenture and the Loan Origination Guidelines pertaining to the Austin Housing Finance Corporation's \$500,000 Single-Family Mortgage Revenue Bond, Series 1983; and containing other provisions relating to the subject. (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Rose absent.)

## LETTER OF AGREEMENT

The Council, on Councilmember Urdy's motion, Councilmember Shipman's second, adopted a resolution approving a Letter of Agreement between the Austin Industrial Development Corporation and the Austin Minority Economic Development Corporation, dated August 30, 1984 to August 30, 1985, for professional services. (5-0 Vote, Mayor Pro Tem Trevino, Councilmember Rose absent.)

## MULTI-FAMILY HOUSING BOND

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, adopted a resolution approving a Multi-Family Housing Bond financed project for the PRI-BB, Joint Venture (Woodmeade Apartments) for the purpose of the Federal Tax Law, and making necessary findings. (5-0 Vote, Mayor Pro Tem Trevino, Councilmember Rose absent.)

CONSENT ORDINANCES

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Rose absent)

Operating Budget Amendment

Appropriated \$14,803.16 from the General Fund Ending Balance and \$65,091.00 from the General Revenue Sharing Fund Ending Balance to the Housing and Community Services Department to fund costs associated with Program Year 1984 contracts.

Street Name Changes

Approved the following street name changes: PUDDLE-BY-THE CREEK to PUDDLEBY COVE. (Request submitted by Ellan Investments, owner of the Treemont Subdivision.)

Site Plan Revision

Approved amendment to Site Plan Revision for Zoning Case #C14r-81-170.

Capital Recovery Fee Ordinance

Amended the Capital Recovery Fee Ordinance to establish LUE's for turbo-meters.

Items Pulled

During the consent motion, Council pulled from the agenda the FIRST READING of an ordinance amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following change:

RANDY MORINE	10608 Morado Circle	From Interim "AA" 1st
By Robert W. Jackson		H&A to "BB" 1st H&A
C14-84-104		<u>TO BE BROUGHT BACK 9/6/84</u>

Zoning Ordinances

Amended Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following changes:

## ORDINANCES - (Continued)

- a. BEN M. BARKER HOUSE 3215 Duval  
By Whit Hanks  
C14h-82-006  
From "A" 1st H&A  
to "A-H" 1st H&A
- b. FLOYD CANTWELL 4505 Spicewood Springs  
By Thomas A. Goebel Road  
C14-83-078  
From Interim "A" 1st  
H&A to "O-1" 1st H&A
- c. AUSTIN MALL COMPANY 2614 Walsh Tarlton  
By Jerry L. Harris  
C14r-84-108  
From Interim "AA" 1st  
H&A to "O-1" 1st H&A
- d. SOUTH CREEK JOINT Blue Dawn Trail  
VENTURE  
By Desiree H.  
Pedreschi  
C14-83-340  
From Interim "A" 1st  
H&A to "A-2" 1st H&A
- e. RIVER BEND BAPTIST 6406 Cedar Street  
CHURCH  
By Jerry L. Harris  
C14r-84-018  
From Interim "AA" 1st  
H&A to "AA" 3rd H&A
- f. DR. M.D. COHN, 1105 West 40th Street  
ET AL  
By City of Austin  
C14-84-155  
From "A-H" 1st H&A  
to "O-1" 1st H&A

EMERGENCY PASSAGE OF ORDINANCE

- g. ROBERT S. FLEMING 6915 McNeil Road  
By Phil Turin  
C14-84-061  
From "A" 1st H&A to  
"O-1" & "C" 1st H&A
- h. RICHARD PULATIE 608-612 West Powell  
C14-83-318 Lane  
From "A" 1st H&A to  
"C" 1st H&A

EMERGENCY PASSAGE OF ORDINANCE

Item Pulled

The following item was pulled from the agenda:

HARBOR VILLAGE PUD C814-74-007	Harbor Village Trail, Carlos Loop, Edlund Cove, Carlos Drive, also bounded by Westlake Drive, Westlake Cutoff and Lakeshore Drive	From Interim "A" 1st H&A to P.U.D.
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Item Pulled

The following item was pulled from the agenda until September 6, 1984:

M.D. THOMSON, ET AL By Mauro, Sarrett & Wendler C14-83-073	1000-1010 Banister Lane & 3708-3818 Garden Villa Lane	From "A" 1st H&A to "BB" 1st H&A
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Taxicab Ordinance

Approved an ordinance suspending the operation and effect of Section 8-7-81, Code of the City of Austin, 1981, relating to the prohibition against the driving and operation of a taxicab without a taxicab license.

CONSENT RESOLUTIONS

The Council, on Councilmember Duncan's motion, Councilmember Shipman's second, adopted the following resolutions in one consent motion: (5-0 Vote, Councilmember Rose and Mayor Pro Tem Trevino absent)

Eminent Domain Proceedings

Authorized Eminent Domain proceedings to acquire the following described tracts of land for Drainage Easements for the CDD #8 project:

- a. 2,083 sq. ft. out of Lots 11 and 12, Block 3, Lincoln Gardens, Section One. (Ella Mae Thomas, Individually, and Estate of Shirley Thomas, deceased, owners.)
- b. 1,733 sq. ft. out of Lots 31 and 32, Block 1, Lincoln Gardens, Section One. (Alonzo White, et ux, Estate of Rosie Lee White, deceased, owners.)

House Park

Adopted a Joint Resolution with the Board of Trustees of the Austin Independent School District regarding House Park.

Lease with Humane Society

Amended a lease with the Humane Society of Austin and Travis County.

Lease with Windsor Village Branch Library

Amended the present lease for the Windsor Village Branch Library.

Parking Rates at Municipal Airport

Approved an amendment to the APCOA/City of Austin agreement to provide revisions in public parking rates at the Municipal Airport.

Certificates of Obligation

Adopted a resolution approving the giving of notice of intention to issue Certificates of Obligation.

Release of Easements

Authorized release of the following easements:

- a. The five 5' Public Utility Easements along the rear of Lots 1, 9 and 10, Block 2, Lots 1, 9 and 10, Block 3, Silverton Heights Subdivision, Airport Boulevard at North Lamar Boulevard. (Request submitted by Murray Properties)
- b. The five 5' Public Utility Easement on Tracts A & B, Eli Subdivision, 4711 and 4801 Boston Lane. (Request submitted by Espey, Huston and Assoc., Inc. on behalf of Reed Properties)
- c. An Electric Easement recorded in Volume 524, Page 523, of the Williamson County Deed Records, Anderson Mill Road at U. S. 183. (Request submitted by Jeryl Hart Engineers, Inc.)
- d. The five 5' Electric and Telephone Easements recorded in Volume 2619, Page 172, of the Travis County Deed Records and release of the five 5' wide Public Utility Easement on Lot 1, Altha Martin Subdivision, 4811 Boston Lane. (Request submitted by Espey, Huston and Assoc., Inc. on behalf of Reed Properties)
- e. The Sanitary Sewer Easement recorded in Volume 3867, Page 1993, of the Travis County Deed Records, U.S. 290 at Berkman. (Request submitted by Safeway Stores, Inc.)

## RELEASE OF EASEMENTS - (Continued)

- f. An Electric Easement recorded in Volume 2046, Page 179, of the Travis County Deed Records insofar as it may affect Tract One, Great Hills Commercial Three, U. S. 183 at Loop 360. (Request submitted by Crow-Gottesman-Shafer #1)

Change Orders

Approved the following Change Orders:

- a. In the amount of \$5,600.00 to PREFERRED CONSTRUCTION COMPANY for Hartford Road, Newfield Lane and Wooldridge Drive water and wastewater line rehabilitation. (4% increase of the original contract)
- b. In the amount of \$7,675.00 to AUSTIN ENGINEERING COMPANY, for Highland Park West Subdivision water line rehabilitation. (3.6% increase of the original contract)
- c. In the amount of \$5,687.73 to AUSTIN ARCHITECTURAL GRAPHICS, for Brackenridge Hospital Interior Signage. (22.8% increase of the original contract)
- d. CAPITAL IMPROVEMENTS PROGRAM - In the amount of \$90,000.00 to PEABODY SOUTHWEST, INC. for the Govalle Wastewater Treatment Plant. Work to be completed at the Walnut Creek Wastewater Treatment Plant. (.47% increase of the original contract) C.I.P. No. 82/23-81
- e. CAPITAL IMPROVEMENTS PROGRAM - In the amount of \$12,375.00 to AUSTIN ROOF MAINTENANCE for the Pan American Recreation Center Re-roofing. (25% increase of the original contract)

Contracts Approved

Approved the following contracts:

- a. RALPH B. CARTER COMPANY  
192 Atlantic Street  
Macensack, New Jersey - CAPITAL IMPROVEMENTS PROGRAM -  
One (1) Mobile Belt Filter  
Press for dewatering sludge, for  
disposal, from Package Plants 1  
and 2 of the Williamson Creek  
Wastewater Treatment Plant,  
Water and Wastewater Department -  
\$87,500.00 C.I.P. No. 82/23-85
- b. HENKELS & MCCOY  
7312 South IH-35  
Austin, Texas - CAPITAL IMPROVEMENTS PROGRAM -  
Installation of Electric  
Distribution Facilities for  
Milwood Section 16, Electric  
Utility Department - \$77,535.81  
C.I.P. No. 84/15-01

## CONTRACTS - (Continued)

- c. HENKELS & MOCOY  
7312 South IH-35  
Austin, Texas
- CAPITAL IMPROVEMENTS PROGRAM -  
Installation of Underground  
Electric Distribution Facilities  
for Shinoak Valley Section III,  
Electric Utility Department -  
\$58,846.74 C.I.P. No. 84/15-01
- d. HAEGELIN CONSTRUCTION COMPANY  
9008 United Drive  
Austin, Texas
- CAPITAL IMPROVEMENTS PROGRAM -  
Installation of Underground  
Electric Distribution Facilities  
for Buckingham Estates Subdivision  
Phase IV, Section C, Electric  
Utility Department - \$52,593.23  
C.I.P. No. 84/15-01
- e. GETTYS-EADS-ADAIR, INC.  
3920 Braxton  
Houston, Texas
- CAPITAL IMPROVEMENTS PROGRAM -  
Batteries and Chargers, Electric  
Utility Department  
Item 1 - \$26,735.67 C.I.P. No.  
81/16-02
- f. COMBUSTION ENGINEERING, INC.  
3336 Richmond Avenue #208  
Houston, Texas
- Pilot Torch Nozzles, Electric  
Utility Department  
Total \$9,272.46 84-0263-JG/DC
- g. GENERAL ELECTRIC SUPPLY COMPANY  
3101 Longhorn Boulevard  
Austin, Texas
- Voltage Regulator, Electric  
Utility Department  
Total \$5,090.00 84-0289-MB
- h. TECHLINE, INC.  
8750 Shoal Creek Boulevard  
Austin, Texas
- Station Post Insulators, Electric  
Utility Department  
Item 1 - \$28,912.50 84-0296-MB
- i. SOUTHWAY ELECTRIC UTILITY  
SERVICES, INC.  
9705 Beck Circle  
Austin, Texas
- Station Post Insulators, Central  
Stores Division  
Total \$9,840.00 84-0283-MB
- j. MARTIN'S UNIFORMS  
3606 Fredericksburg Road #102  
San Antonio, Texas
- Silver Tan Uniform Shirts, Central  
Stores Division  
Twelve (12) Month Supply Agreement  
Total \$5,994.00 84-0302-AV
- k. SAN ANTONIO VAULT COMPANY  
12237 Hwy. 87 East, FM 1604  
Adkins, Texas
- Concrete Grave Liners, Public  
Works Department  
Twelve (12) Month Supply Agreement  
Total \$19,500.00 84-0220-DC
- l. DUNCAN EQUIPMENT, INC.  
212 N. W. Lorna Street  
Burlason, Texas
- Recycling Trailers, Vehicle  
and Equipment Services Department  
Total \$26,606.00 84-0277-MB

## CONTRACTS - (Continued)

- m. CLAUDE WRIGHT & ASSOCIATES, INC. - Mansaver Padded Safety Bars  
9018 Ruland and Wedge Shims, Austin Fire  
Houston, Texas Department  
Total \$7,431.26 84-0272-AV
- n. MCKESSON CHEMICAL COMPANY - Sodium Hexametaphosphate, Water  
Foremost-McKesson Chemical Group and Wastewater Department  
4351 Director Drive Twelve (12) Month Supply Agreement  
San Antonio, Texas Items 1.1 - 1.3 - \$165,430.00
- o. Bid award: - Standard Items, Water and  
Wastewater Department  
Six (6) Month Supply Agreements  
To be awarded by progressive  
purchasing method from low to high  
bid - \$257,175 84-0254-JG
- (1) AUSTIN PIPE & SUPPLY COMPANY, - Items 23-25, 27-47, 49, 61-62, 126,  
INC. 128, 149-151, 153-156, 207-208, 292-  
300 Medina 298, 300-305, 321-323, 325, 330-  
Austin, Texas 332, 338, 361, 363-366, 382- 385,  
387, 390, 392-394, 396-399, 401-403,  
405-407, 410, 432, 442- 452, 477-480
- (2) ESCO SUPPLY - Items 48, 50-60, 75-81, 86, 89,  
504 Industrial Boulevard 132-137, 152, 157, 218-234, 237-  
Austin, Texas 238, 240, 249, 299, 306, 324,  
326-327, 340-355, 388-389, 391,  
395, 400, 415-428, 433-440
- (3) INDUSTRIAL INTERNATIONAL, - Items 2, 6, 121-122, 129-131,  
INC. 138-139, 144-148, 164, 199-203,  
8100 Ferguson Cut-Off 205-206, 209-211, 264, 274-276,  
Austin, Texas 313-316, 339, 368-377, 386, 431,  
453, 455-457, 461, 468
- (4) MILLSTEAD COMPANY - Items 475 & 476  
P. O. Box 399  
Austin, Texas
- (5) PFV SUPPLY COMPANY - Items 63-74, 82-85, 87-88, 235-236,  
4700-R Burleson Road 239, 241-248, 250-263, 265-273,  
Austin, Texas 277-281, 333-337
- (6) TRANS-TEX SUPPLY COMPANY - Items 1, 3-5, 7-22, 26, 90-120  
4618 E. 7th Street 123-125, 127, 140-143, 158-163,  
Austin, Texas 165-198, 204, 212-217, 307-312,  
317-320, 328-329, 356-360, 362,  
367, 378-381, 404, 408-409,  
411-414, 429-430, 441, 454,  
458-460, 462, 463-467, 469-474,  
481-484

## CONTRACTS - (Continued)

- p. MARTIN'S UNIFORMS  
3606 Fredericksburg Rd., #102  
San Antonio, Texas
- q. Bid award:
- (1) INTEX SUPPLY  
6030 Brittmoore  
Houston, Texas
- (2) THE WALTER TIPS COMPANY  
200 Colorado Street  
Austin, Texas
- (3) ALAMO IRON WORKS  
101 Montana  
San Antonio, Texas
- (4) W. H. RICHARDSON CO., INC.  
3708 Woodbury  
Austin, Texas
- (5) CAPITOL BOLT AND SUPPLY, INC.  
6015 Dillard Circle  
Austin, Texas
- (6) GRAYBAR ELECTRIC COMPANY  
7434 N. Lamar  
Austin, Texas
- r. POWER SUPPLY OF AUSTIN, INC.  
1615 West 5th Street  
Austin, Texas
- s. PAUL ANDERSON COMPANY  
3485 Fredericksburg Road  
San Antonio, Texas
- Police Uniforms Trousers, Central Stores Division  
Twelve (12) Month Period  
Items 1-6 - \$50,650.00 84-0286-AV
- Tools and Miscellaneous Items, Central Stores Division  
Six (6) Month Supply Agreements  
Total \$159,676.00 84-0262-JG
- 8, 9, 10, 11, 25, 59, 74-77, 80, 81, 86-89, 107-119, 125-127, 130-133, 175, 177, 189, 201, 202, 227, 237, 310
- Items 1, 17, 18, 22, 30, 148, 161, 174, 192-194, 228, 229, 250-256
- Items 4, 5, 20, 27, 35-38, 44, 49-53, 105, 128, 169, 178, 190, 191, 203, 218, 220, 226, 230-236, 238-249, 265, 267, 268, 277, 278, 280-285, 287-290, 298-300, 305, 306
- Items 3, 7, 12, 13, 16, 19, 21, 23, 26, 28, 31-33, 39-41, 45, 46, 48, 58, 60, 61-73, 78, 79, 82-85, 96, 97-104, 106, 120-123, 137, 138, 140-147, 149-154, 156-160, 165-167, 170, 176, 179-184, 187, 188, 195-197, 200, 204-206, 208-217, 219, 221-225, 257, 258, 260-264, 266, 274-276, 286, 291-297, 301-304, 307-309
- Items 2, 42, 43, 136, 164, 168, 269, 311, 312
- Item 90-95, 124, 129, 130, 162, 270-273
- Power Cable, Central Stores Division  
Item 1 - \$15,765.00 84-0294-MB
- Markers, pens and Refills, Office Services Division  
Twelve (12) Month Supply Agreement  
Items 1-13 - \$19,016.00 84-0274-GW

## CONTRACTS - (Continued)

- t. R.G.D. BUILDERS, INC.  
1004 Mopac Circle, Suite 101  
Austin, Texas
- Addition to the Police Wellness Program Office, Public Works Department  
Total \$39,840.00 84-C314-JJ
- u. Bid award:
- (1) R. ROBINSON & ASSOCIATES  
319 Congress Avenue  
Austin, Texas
- (2) FIELD SERVICES OF AUSTIN  
600 Barwood Park, Suite 1616  
Austin, Texas
- Professional Services for outside land acquisition, Public Works Department  
Twelve (12) Month Contract  
Estimated total \$75,000 to \$100,000 per contractor 84-S323-LI
- v. RENE' BATES AUCTIONEERS, INC.  
Route 4  
McKinney, Texas
- Auctioneer Services, Vehicle and Equipment Services Department  
Twenty-four (24) Month Contract  
Total \$17,900.00 or 2.9% of first \$200,000 gross sales less sales tax; thereafter 2.5% of all monies over \$200,000 with increase to 3.2% after first year 84-S288-LI
- w. CDI CORPORATION  
11000 Metric Boulevard  
Austin, Texas
- Services for Zoning Mapping Program, Office of Land Development Services  
Two & One Half (2 1/2) Month Contract  
Total \$54,929.25 84-S327-LI  
(Council Goal I-4)
- x. UCCEL CORPORATION  
UCCEL Tower  
Exchange Park  
Dallas, Texas
- Software License for Tape Management System, Police Dept.  
Thirty-six (36) Month Plan  
Total \$42,000.00 84-S331-LK
- y. Bid Award:
- CAPITAL IMPROVEMENTS PROGRAM -  
Flow Measuring and Recording Devices and Water Quality Samplers, Public Works Department  
Total \$126,348.00 C.I.P.  
83/67-02

## CONTRACTS - (Continued)

## y. Bid Award - (Continued)

- (1) AMERICAN DIGITAL SYSTEMS, - Items 1-2  
2227 Drake Avenue Southwest  
Huntsville, Alabama
- (2) MANNING TECHNOLOGIES - Items 3-4  
100 Technology  
Santa Cruz, California
- z. COMPUTER CRAFT OF AUSTIN - Six (6) Microcomputers, Software  
4211 South Lamar Boulevard and Printers, Library  
Austin, Texas \$27,308.00 84-s342-LK

North Austin Pump Station

Authorized the North Central Austin Growth Corridor Municipal Utility District Number One to enter into a contract for construction of North Austin Pump Station Improvements - \$2,145,750.00.

Water and Wastewater Approach Mains

Approved the following water and wastewater approach mains:

- a. THOMAS BURKE - Wastewater Approach Main #564 to serve Scarborough Suidivision. City cost participation of \$58,616.00. A subsequent user fee of \$139.23/ IUE will be levied against any future projects which will tie into this line.
- b. - Approach Mains in the Big and Little Walnut Creek Basin, subject to either the reconstruction of Little Walnut Creek Interceptor or the completion of the Big Walnut Creek Interceptor.

Councilmember Duncan stated: "I'd like to substitute the Planning Commission motion on b. 1-5, which included the statement that a capacity would be available at the Walnut Creek Treatment Plant. On the agenda this just reads that these are subject to the reconstruction of Little Walnut Creek Interceptor or the completion of the Big Walnut Creek Interceptor. The Planning Commission motion that was made includes the point that I have made the last several weeks, which was we also include that these are subject to the capacity being available at the Walnut Creek Treatment Plant."

## CONTRACTS - (Continued)

- (1) CHARLES F. SMITH - Water Approach Main #355 to serve Taylor Ranch. City cost participation of \$89,760.00
- (2) CHARLES F. SMITH - Wastewater Approach Main #356 to serve Taylor Ranch. No City cost participation.
- (3) ROBERT W. SIMS - Wastewater Approach Main #531 to serve Hamilton - Yager Ln. Tract. No City cost participation.
- (4) HAMILTON TRACT - Wastewater Approach Main #541 to serve Hamilton Tract. No City cost participation
- (5) RICHARD MALONE - Wastewater Approach Main #574 to serve Yager - MJL Tract. No City Cost participation.

Ground Lease

Authorized amendment of the Ground Lease between the City of Austin and Congress Associates relating to the First City Centre; and the Parking Lease between the City of Austin and Congress Associates relating to the First City Centre Parking Facility.

Hospital Accounting System

Entered into an agreement with Management Science America, Inc. for continued maintenance and support of the Hospital's accounting system software, at a cost of \$77,170.00.

Bylaws Central Texas Library System

Approved changes to the Bylaws of the Central Texas Library System.

Library Lay Representative Appointed

Approved an appointment of Mrs. Gensie Hemphill to a two-year term as Austin's Lay Representative to the Central Texas Library System.

Jobs Bill Program

Approved reallocation of \$90,000 in savings from Community Development Block Grant Jobs Bill Administration to the Jobs Bill Standard Rehabilitation program.

Jobs Bill Funds

Approved Jobs Bill funds for Standard Rehabilitation Loans in the following amounts:

- a. Installation by Alba (MBE) - \$18,200.00
- b. Imperial Construction - \$19,269.00

SER Jobs for Progress

Approved paying up to \$33,000.00 to Austin Women's Center, \$38,393.00 to Austin Area Urban League and \$45,000.00 to SER Jobs for Progress to cover cost overruns in their 1984 Program Year JTPA contracts which terminated June 30, 1984.

Montopolis Area Study

Approved the proposed work plan for the Montopolis Area Study. (Study will take 110 days.)

Item Postponed

Pulled until 9/6/84 an ordinance to amend the development prospectus for the Municipal Office Complex.

Hearing Cancelled

Approved cancellation of the September 12, 1984 public hearing on Single-Member Districts.

Public Hearing Set

Reset the public hearing on dedication of a public roadway through a portion of West Sand Beach Reserve to October 4, 1984 at 3:00 P.M.

Remodeling Costs

Approved entering into an agreement with Doerring Reality Services to pay for remodeling costs of leased space in the Petroleum Building.

Item Pulled

Postponed until 9/6/84 consideration of the method of receiving recommendations concerning the Municipal Office Complex development award.

Public Hearings Set

Set public hearings on the following:

- a. Slow Growth Proposal: October 25, 1984 at 5:30 p.m.
- b. An appeal from Mrs. Pat Bishop of the Planning Commission's decision to deny a Special Permit for Lil Dumplin Day Care Center: September 27, 1984 at 6:30 p.m.

Items From Council Postponed

The following items from Council were postponed until September 6, 1984:

1. Discussion of number of Councilmembers needed to discuss zoning cases with valid petitions.
2. Consider cancellation of a regularly scheduled City Council Meeting.
3. Consider amendments to the Taxicab Ordinance.
4. Consider review of Water Capacity to serve Meadows of Walnut Creek (formerly Colony Park).

## RESOLUTION TO H.E.B.

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, adopted a resolution asking the H.E.B. at 1111 East 1st Street to continue their operation at their present location. (4-1-0 Vote, Mayor Mullen voted No, Councilmember Spaeth was out of the room and Mayor Pro Tem Trevino absent) (This was discussed early in the meeting and voted upon later, after Councilmember Rose had entered the Council Chamber.)

## EXEMPTION APPROVED

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, approved the request of Mr. Tommy Walker for exemption from the Williamson Creek Moratorium Ordinance, based on facts of circumstance presented to Council. (5-0 Vote, Councilmember Rose and Mayor Pro Tem Trevino absent.)

## REQUEST FOR EXEMPTION DENIED

Council made no motion on Ms. Donna H. Kristaponis' request for exemption from the Inner City Ordinance for the property at 501 West 38th Street, therefore, request was denied.

## EXEMPTION APPROVED

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, approved the request of Mr. Herbert H. Sladek Jr., representing Northside Church of Christ, for exemption from the Inner City Neighborhood Ordinance to allow the construction of a drive-through canopy. (4-0 Vote, Councilmember Urdy out of the room, Councilmember Rose and Mayor Pro Tem Trevino absent)

## STREET VACATION

Mayor Mullen opened the public hearing set for 2:30 p.m. on vacation of the following: A portion of Oakwilde Lane at Alameda Drive, 1900 Block. (Request submitted by S.A. Garza Engineers, Inc. on behalf of the Austin Independent School District.)

No one appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating a portion of Oakwilde Lane at Alameda Drive, 1900 Block. (5-0 Vote, Mayor Pro Tem Trevino and Councilmember Rose absent)

## DEDICATION OF RIGHT-OF-WAY

Mayor Mullen opened the public hearing set for 3:00 p.m. on dedication of street right-of-way, drainage easement and slope easement through a portion of Williamson Creek Greenbelt.

No one appeared to be heard. Councilmember Shipman determined that all feasible and prudent planning had taken place in order to prevent any damage to the park and that there was no alternative to use of the park.

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, closed the public hearing, waived the requirement for three readings and passed on EMERGENCY BASIS an ordinance dedicating street right-of-way, drainage easement and slope easements through a portion of Williamson Creek Greenbelt. (5-0 Vote, Councilmember Rose and Mayor Pro Tem Trevino absent.)

## PUBLIC HEARING - SPRINGWOODS MUD

Mayor Mullen opened the public hearing set for 3:00 p.m. on Springwoods Municipal District Annexation.

Lilas Kinch, Acting Director, OLDS Department, showed a map and explained. She said the applicant does not feel they need to pay a capital recovery fee and staff does not think it should be required. She said this is one of the better bonded MUD's.

Councilmember Spaeth said the MUD will be debt free in 5 years and then the City can annex. Jerry Harris, representing the MUD, agreed with Councilmember Spaeth.

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, closed the public hearing and voted to take action on September 6, 1984. (5-0 Vote, Councilmember Rose and Mayor Pro Tem Trevino absent.)

## DEDICATION OF DRAINAGE EASEMENT

Mayor Mullen opened the public hearing set for 3:10 p.m. on dedication of permanent drainage easement through a portion of Garrison Park.

No one appeared to be heard. Councilmember Shipman determined that all feasible and prudent planning had taken place in order to prevent any damage to the park and that there was no alternative use of the park.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance, on EMERGENCY BASIS, dedicating a permanent drainage easement through a portion of Garrison Park. (5-0 Vote, Councilmember Rose and Mayor Pro Tem Trevino absent.)

## HEARING TO BE CONTINUED

Council unanimously approved continuing a public hearing on exemption to Ordinance No. 840209-K (Inner City Development Ordinance) for 1200 Baylor and 1201 Castlehill until September 6, 1984, at 3:30 p.m.

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The hearing on amendments to Chapter 13-2 of the City Code providing requirements and criteria for development within the "RM 2222 Highway Corridor" was postponed until September 6, 1984 at 3:40 p.m.

## ITEM TO BE BROUGHT BACK

Consideration of the following street name change will be brought back to Council at a later date:

SHEPHERD MOUNTAIN COVE TO BRIDGEHEAD DRIVE. (Request submitted by Shepherd Equitable Joint Venture, owners of the adjoining property.

## REPORT POSTPONED

The City Manager report on Nueva Vida Audit was postponed until September 6, 1984.

## EXECUTIVE SESSION

Mayor Mullen announced Council will go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss the following matters, and after such closed or Executive Session, any action to be taken will be done in open session:

## a. Board and Commission Appointments - Section 2, Paragraph g.

- (1) COMMUNITY DEVELOPMENT COMMISSION - 7
- (2) DENTAL HEALTH ADVISORY COMMISSION - 9
- (3) NEIGHBORHOOD REVITALIZATION COMMISSION - (Urban Renewal Board) - 1  
by Mayor
- (4) ETHICS REVIEW COMMISSION - 4 (1 confirmation)
- (5) WRECKER STANDARDS COMMISSION -
- (6) MH/MR BOARD OF TRUSTEES - 1
- (7) CONSTRUCTION ADVISORY COMMITTEE - 3
- (8) ATOC
- (9) ELECTRICAL BOARD - 3
- (10) MEDICAL ASSISTANCE PROGRAM ADVISORY BOARD - 1
- (11) BOARD OF ADJUSTMENT - 1
- (12) POLICE RETIREMENT BOARD - 1
- (13) CARVER MUSEUM BOARD - 9
- (14) RENAISSANCE MARKET COMMISSION - 4
- (15) HISTORIC LANDMARK COMMISSION
- (16) AFFIRMATIVE ACTION PLAN ADVISORY COMMITTEE -
- (17) BUILDING STANDARDS COMMISSION
- (18) PARKS AND RECREATION BOARD -
- (19) PLANNING COMMISSION - 4
- (20) CITY OF AUSTIN COMMISSION FOR WOMEN - 4
- (21) ELISABET NEY MUSEUM BOARD OF DIRECTORS - 3
- (22) HOSPITAL BOARD -5
- (23) SOLICITATION BOARD - 2
- (24) BUILDING CODE BOARD OF APPEALS - 3
- (25) ELECTRIC UTILITY COMMISSION - 5
- (26) ENERGY MANAGEMENT COMMISSION

## EXECUTIVE SESSION - (Continued)

- (27) ENVIRONMENTAL BOARD -
- (28) PLUMBING ADVISORY BOARD - 4
- (29) EMPLOYEE'S RETIREMENT SYSTEM - 1
- (30) CABLE COMMISSION - 4
- (31) URBAN TRANSPORTATION COMMISSION - 1
- (32) WATER AND WASTEWATER COMMISSION - 3

## b. Pending Litigation:

- (1) State of Texas v City of Austin, Section 2, Paragraph e.
- (2) Houston Lighting and Power Company, et al v. Brown and Root, et al in Matagorda County, and City of Austin vs. Houston Lighting and Power Company in Travis County - -Section 2, Paragraph e.
- (3) Docket No. 5730. Petition of Louis Fry, Sr. et al, for relief from rates set by the City of Austin - preceding before the Public Utilities Commission, Section 2, Paragraph e.
- (4) Review and consider the status of protests on the contracts for the Onion Creek Wastewater Treatment Facilities, Section 2, Paragraph e.
- (5) United South Austin v. City of Austin, Section 2, Paragraph e.

## c. Land Acquisition - Section 2, Paragraph f.

## d. Discussion of City personnel issues, Section 2, Paragraph g.

## RECESS

Council recessed for executive session at 3:40 p.m. and resumed their recessed meeting at 8:05 p.m.

## PUC RATES

Mayor Mullen stated, "We have been in executive session for the last 4½ hours on a great number of items. There are two of them we are going to vote on tonight. One has to do, and it took the longest amount of time for conversation, with the settlement with PUC on our rate system. There is almost no way to discuss this where it can be fully understood in a short period of time when you consider the Council has been discussing it for several hours. Basically what we have agreed to do is to go back to the PUC with a settlement. Before I say what that is I would like for the public to know what the PUC was asking us to do. They wanted us to raise the base rate of the residential users by 15%, to lower commercial rates by 25% and then to use, what I would call "funny money" and cover that up by reducing the

## PUC - (Continued)

fuel cost, which is really not a reduction. The fuel costs we collect are estimates of how much the fuel will actually cost the City. I believe the PUC was correct in our estimates. They were high because the gas rates have gone down, but we were on line to adjust those in November of this year. What the PUC is saying they would prefer for us to do is to go by historical data only and not on what is projected in fuel costs, but what has happened in the past year. What that ends up doing is temporarily gives a feeling you have a rate reduction and you recover it later at whatever the cost of fuel is, so it is not truly a rate reduction and has nothing to do with your base rate. It's just when you collect on the fuel cost. It is important to realize the PUC is in fact asking us to shift away from commercial rates, lower the commercial rates and shift them to residential rates. They are also asking us to lessen the load on big users of electricity in the residential area and increase the rate on the small users. The settlement we have come up with ameliorates all of those things. We have come up with an agreement on the fuel charges that are realistic. We have reduced the differential they requested, where the residential rates will not increase as much in the base rate as they had requested and the commercial rates will not decrease as much as they requested. We will have a debt service coverage of 1.59 times excepted. We are pleased that they have found that the transfer to the general fund is going to remain the same and that it is reasonable. They have asked that the Independent School District go on a temporary special rate until the time of use rates is established in May of next year. They have asked that the Capitol complex rate be eliminated and merged with large primary service. The Capitol complex had a special rate because they had threatened to go to another utility service and Council had given them special preferential treatment several years ago. PUC says that is not fair and while the Capitol complex will see a slight decrease in rate temporarily as a result of the shift from the commercial rates to the residential user as the PUC asked. They will not see that special rate as has been given in the past. They ask that the fuel factor be set annually unless there is an expected change in fuel cost and we have absolutely no problem with that. It is not our desire to over-collect the fuel, it is only the desire by staff to be sure what they collected covered the cost of fuel. I want to emphasize there is a question of cost of fuel, not an item we make money on, cost of fuel if you over-collect is then used to level out rates for the future. If you under-collect you have to go back in and readjust your rates anyway because you cannot pay for fuel if you don't have the money collected. There is a chart that shows the effect on the ratepayer. Because rate making is a rather complicated process, and there are some fixed costs and some percentage increases. Proposal 7 as it was known or 7½, is still very much in effect, it is just modified somewhat. That is basically what has been done. The thing I am very pleased about is the fact that the transfer to the General Fund has been left untouched and the concern that many citizens have expressed over the years was not continued on as a major issue. I feel like that as long as we use

PUC - (Continued)

sound governmental and utility practices, they can continue on with it. All of the Councilmembers have strong concerns about this because it is such a strong concern to the ratepayers of Austin and what is so sad about this is that 1500 people, that signed a petition from outside the City limits of Austin, are in effect, causing long term change rates that will raise residential user rates and lower commercial rates, more so than had been in effect before. We are settling on much less than what the PUC wanted to change. We've gone back and forth. What the PUC wanted to do would have made a major change in residential rates and a major change in commercial rates, but the settlement has tried to ameliorate that. I want to make sure that is clear. People think that it is kind of cute, maybe, to go out and sue the City, and we are continuing to see the bond houses being concerned about this. We talked about that today. Second big cause for Moody's to be concerned about the City of Austin's future is the constant and continued litigation. Every bond election we have, every rate case...it's just becoming the thing to do. These folks that are doing that certainly have that right, but at some point the public needs to know that it costs them money. Every time we have to go defend against litigation, it costs us hundreds of thousands of dollars and it is passed right back into our rates, there is no option. The whole society has become one of settling everything in court. ....It's become extremely costly in our society. .... You can be right, every time, over and over, and it is still costly to the ratepayers. I hope the people will begin to try to find other methods of getting their way either by ballot box or democratic process, but not through the courts. They continually come up hurting the system and not getting their way. That's an editorial by myself that has somewhat to do with this, but not a lot."

After comments were made by all Councilmembers, the following motion was made:

#### Motion

The Council, on Councilmember Rose's motion, Councilmember Spaeth's second, approved settlement of pending litigation, Docket No. 5730, Petition of Louis Fry, Sr. et al, for relief from rates set by the City of Austin - preceding before the Public Utilities Commission Section 2, Paragraph e. (6-0 Vote, Mayor Pro Tem Trevino absent)

#### SUPPORT FOR COUNCILMEMBER SPAETH

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, does not object to the representation of Councilmember Mark Spaeth in Civil Action A 84 CA 189, Overton v. City of Austin, in the U.S. District Court, at no cost to the City, by the Clark, Thomas & Winters law firm. Clark, Thomas & Winters is representing the City in other legal matters and would not want to take a position adverse to the City if the Council objects to such representation. (6-0 Vote, Mayor Pro Tem Trevino absent)

## PARTICIPATION REQUIREMENTS - OAK HILL AREA

Mr. Jim Thompson, Director of Water and Wastewater, reported on Participation Requirements - Oak Hill Area Projects. He stated: "There was a question raised about three weeks ago about participation in Oak Hill improvement. There were a number of approach mains that had been submitted requesting water service in the Oak Hill area. The question included participation in the Patton Ranch project. Those people involved with the questions originally raised, have arrived at what they believe is a suitable and equitable settlement. In the Oak Hill area the water system is currently deficient, there are a number of projects approved that will correct the situation. One of the projects is the Patton Ranch improvements project, which includes a tie-in to a 24" water line the City will be constructing as part of the settlement with J.W. Smith issue. Tie on to the 24", 36" and 42" with a reservoir. There are a number of issues that were presented. The essence is, Patton Ranch project created 3,065 LUE's by that project being in existence. There was a report developed prior to that agreement being entered into that utilized an estimate for one of the participants of 475 LUE's. The estimate is wrong, it is more like 675. Even with that it appears we have a contract that says 3,065 LUE's of water service is being committed out of this area that should be available for allocation. Given the other projects that are also included within the Oak Hill annexation area, it is my recommendation that we live up to the 3,065 LUE's that are specified in the Patton Ranch contract. There are currently 382 LUE's that is not currently allocated. We have had a number of requests for allocation of that service that went as high as 658 LUE's. The question posed is who gets to participate in that project. We have two final platted lots in Oak Hill Heights, Section V. They ask for 189 LUE's...The Villas of Oak Hill, approach main 580, was asking for 34 LUE's. West Bend had an approach main 457 and was asking for 208 LUE's. The Y Business Park was asking for 5 and subsequently there is a request for contract amendment to Oak Hill Heights Joint Venture that currently has 1,113 LUE's of water service made available by contract. They have more than that in wastewater service by contract, that they want to increase level of service 220 LUE's. These gentlemen got together, with participation of staff, and have come to an agreement that they can live with less than asking for. Currently one project, Becket Meadows, approved for participation of 300 LUE's. There are real indications they only need 260. With that additional 40 that would make available 422 LUE's. These gentlemen. (John Joseph, Scott Roberts and Jerry Harris were standing beside Jim Thompson) agree that they feel an equitable allotment of that would be 189 LUE's to Oak Hill Heights, Section V, two final platted lots. That the Villas of Oak Hill, which was not represented in the discussions, are asking for 34, but they will get 32 LUE's. West Bend would get 110, Y Business Park would get the five that they requested and Oak Hill Heights Joint Venture would get 86 LUE's. That totals 422. If the 40 does not become available then those numbers will be prorated backwards to evenly distribute those numbers out according to the requests made.

## OAK HILL AREA - Continued

Motion

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, approved the request of Mr. John Joseph to amend the agreement by correcting clerical errors, regarding the provision of Water and Wastewater dated January 31, 1984, entered into between the City of Austin and Oak Hill Heights Joint Venture. (5-0 Vote, Councilmember Spaeth out of the room, Mayor Pro Tem Trevino absent)

Motion

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, approved the request of Mr. Scott Roberts for improvements to the City of Austin's water system in the Oak Hill area for Oak Hill Heights Section 5, Lots 1 & 14. (5-0 Vote, Councilmember Spaeth out of the room, Mayor Pro Tem Trevino absent)

Motion

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, approved the request of Mr. Jerry Harris for approval of West Bend Tract as a participant in Oak Hill area water line contract. (5-0 Vote, Councilmember Spaeth out of the room, Mayor Pro Tem Trevino absent)

## TAXI FRANCHISE PUBLIC HEARING POSTPONED

Council unanimously agreed to postpone the public hearing on the Taxicab Franchise until September 6, 1984 at 4:00 p.m.

## NORTHWEST AREA ROADWAY HEARING

Council unanimously agreed to postpone indefinitely the public hearing on Northwest Area Amendments to the Austin Metropolitan Area Roadway Plan.

## BUS PASSENGER VOTER REGISTRATION DRIVE

The Council, on Councilmember Duncan's motion, Councilmember Rose's second, approved the request of Mr. Wade Goodwyn for access to City buses on September 18, 1984 from 6:00 a.m. to 9:00 a.m. and from 4:00 p.m. to 7:00 p.m. for nonpartisan voter registration drive. (5-0 Vote, Councilmember Spaeth out of room, Mayor Pro Tem Trevino absent)

## ADJOURN

Council adjourned their meeting at 8:45 p.m.